



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of:

ZAUDERER *et al.*

Appl. No.: 09/824,787

Filed: April 4, 2001

For: **Gene Differentially Expressed in
Breast and Bladder Cancer, and
Encoded Polypeptides**

Confirmation No.: 2970

Art Unit: 1643

Examiner: Harris, Alana M.

Atty. Docket: 1821.0040001/EKS/T-M

Amendment and Reply Under 37 C.F.R. §§ 1.111 and 1.114

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Filed concurrently herewith is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 in the above-captioned application. In reply to the Office Action dated September 30, 2005, (PTO Prosecution File Wrapper Paper No. 09262005), Applicants submit the following Amendment and Remarks. It is respectfully believed that entry and consideration of this Amendment and Reply is proper under 37 C.F.R. § 1.114, as these submission are being filed prior to payment of the issue fee, abandonment of the application, or filing of a Notice of Appeal to the U.S. Court of Appeals of the Federal Circuit. This Amendment and Reply is intended to replace the Amendment and Reply that was filed on December 22, 2005 which, per a telephone message from the Examiner to Applicants' representative on March 30, 2006, was not entered in the above-captioned application.

This Amendment is provided in the following format:

(A) Each section begins on a separate sheet;

(B) Starting on a separate sheet, a complete listing of all of the claims:

- in ascending order;

- with status identifiers; and
- with markings in the currently amended claims;

(C) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.